

Message Text

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44

ORIGIN L-02

INFO OCT-01 EUR-12 ISO-00 SSO-00 NSCE-00 USIE-00 INRE-00

CIAE-00 DODE-00 PM-03 H-01 INR-07 NSAE-00 NSC-05

PA-01 PRS-01 SP-02 SS-15 SAJ-01 IO-10 /061 R

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APPROVED BY EUR/CE:RDAVIS

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FM SECSTATE WASHDC

TO USMISSION USBERLIN IMMEDIATE

INFO AMEMBASSY BONN PRIORITY

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E.O. 11652: N/A

TAGS: PGOV, MILI, WB

SUBJECT: DISTRIBUTION OF LITERATURE

REF: SMALL/GREENWALD TELCON OF 2/17

1. INEVENTFIRST AMENDMENT PRIOR RESTRAINT ISSUES ARE
RAISED BY PRACTICE UNDER U.S. SECTOR ORDINANCE OF JULY
27, 1972, TIME WILL BE OF ESSENCE IN REACHING DECISION.
DEPT. THEREFOREREQUIRESSUBMISSION OF RELEVANT INFOR-
MATION BY CABLE RATHER THAN POUCH.

2. IF INFORMATION INDICATES THAT CONTENTS OF PUBLICATIONS
FOR WHICH DISTRIBUTION APPLICATION HAS BEEN MADE
HAVE BEEN RELEVANT TO DECISION WE WILL WISH TO CONSIDER
FOLLOWING OPTIONS: (A) ADOPT AND MAKE AVAILABLE
TO PUBLIC CRITERIA FOR DENYING AND APPROVING REQUESTS,
PERHAPS ALONG LINES CONTAINED IN ARMY REGULATION 210-10;
OR (B) REPEALING THE SECTOR ORDINANCE WHICH DOES NOT
SEEM TO BE REQUIRED BY CIRCUMSTANCES IN BERLIN AND WHICH,
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AS FAR AS WE ARE AWARE, HAS NO COUNTERPART IN UK OR

FRENCH SECTORS.

3. WE HAVE BEEN INFORMED BY ARMY GENERAL COUNSEL'S OFFICE THAT IT VIEWS REGULATION 210-10 AS APPLICABLE IN BERLIN. PURSUANT TO THAT REGULATION THE ARMY HAS AUTHORIZED DISTRIBUTION OF UNDERGROUND NEWSPAPERS, INCLUDING QUOTE UP AGAINST THE WALL UNQUOTE ON MILITARY BASES. UNDERGROUND NEWSPAPERS HAVE BEEN DISTRIBUTED ON SUCH SENSITIVE INSTALLATIONS AS SAC BASES. ARMY'S WORLD-WIDE APPROACH, ACCORDING TO GENERAL COUNSEL'S OFFICE, IS THAT PERMITTING DISTRIBUTION OF UNDERGROUND NEWSPAPERS IS BEST WAY TO MINIMIZE IMPACT. MAW

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